

DETAILED ACTION

Reasons for Allowance

1. Claims 32-38, 40-44, 47, 66-71, 78 and 84 are allowed. The closest prior art reference Buchanan (US 5,292,783) fails to expressly disclose or in combination teach the claimed cellulose mixed ester having the specifically recited values for the total degree of substitution and the degree of substitution of the hydroxyl, C₃-C₄ esters, acetyl wherein the inherent viscosity falls within the claimed range. The selection of the claimed ranges within the part art involves an unduly and unobvious amount of modifications, wherein the reference fails to motivate one to operate within the claimed ranges and further the reference fails to motivation one to have a total degree of substitution falling within the claimed range. It is not known in the art of cellulose mixed esters to utilize the specifically claimed cellulose mixed ester having the very narrow degree of substitution ranges, there is no motivation to do so, nor, would it have been obvious to one of ordinary skill at the time of the invention. Hence, the invention as a whole is regarded as novel and unobvious over the prior art.

2. Applicant submitted an Terminal Disclaimer over US Application 10/796,235 in order to overcome a provisional obviousness double patenting rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SAIRA HAIDER whose telephone number is (571)272-3553. The examiner can normally be reached on Monday-Friday from 10am-6pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Seidleck can be reached on (571) 272-1078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/James J. Seidleck/
Supervisory Patent Examiner, Art Unit 1796

Saira Haider
Examiner
Art Unit 1796